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FOR IMMEDIATE RELEASE

Sept. 1, 2005

INDIVIDUAL AND BUSINESSES CHARGED WITH MISHANDLING HAZARDOUS WASTE

PHILADELPHIA – United States Attorney Patrick L. Meehan today announced the filing of an information charging Joel D. Udell and two affiliated businesses, Pyramid Chemical Sales Co. and Nittany Warehouse LP, with 15 felonies involving mishandling of hazardous wastes.¹

The charges concern the defendants' ownership and operation of a chemical storage facility in Pottstown, Pa. for a number of years, the export of 29 sea containers of chemicals in 2000 to Rotterdam in the Netherlands, and the "sale" and transport of deteriorated chemicals in 2000 to customers who believed they were purchasing usable raw materials. The defendants conducted an EPA-supervised Superfund clean up of the Pottstown warehouse in 2000, which was subsequently sold.

"Rather than dealing with hazardous waste safely and legally, the defendants chose to ship their problem overseas," said Meehan. "It then became an expensive headache for someone else while, at the same time, creating a serious environmental risk."

The information charges the defendants with 15 counts of violating the Resource Conservation and Recovery Act, the federal statute regulating hazardous waste. The defendants are charged with one count of storing hazardous waste without a permit at the former Nittany Warehouse in Pottstown, Pa., from May 1998 to early 2001, four counts of exporting hazardous waste outside the United States without consent of the receiving country on various dates in 2000, and 10 counts of transporting hazardous waste without manifests and to unpermitted facilities in 2000. Dutch authorities eventually had to pay substantial amounts of money to dispose of the 29 sea containers of chemicals shipped to Rotterdam in 2000 by the defendants.

"The defendants are charged with making hazardous wastes 'disappear' by illegally exporting them to nonexistent buyers overseas and with unsafe hazardous waste practices," said Granta Y. Nakayama, EPA's Assistant Administrator for Enforcement and Compliance Assurance. "With the cooperation of the of the Dutch authorities in Rotterdam, we can send a clear message: we will pursue those who knowingly disregard environmental laws and jeopardize the health and welfare of the public."

¹ An indictment or information is an accusation. A defendant is presumed innocent unless and until proven guilty.

INFORMATION REGARDING THE DEFENDANT(S)

NAME	ADDRESS	AGE
Joel D. Udell	2831 NW 49 th St. Boca Raton, FL 33434	64
Pyramid Chemical Sales Co., Inc.	54 North Ridge Avenue, Ambler, Pa.	
Nittany Warehouse LP	c/o 54 North Ridge Avenue, Ambler, Pa.	

If convicted, Udell faces a maximum sentence of 48 years imprisonment, a fine of \$3.75 million, 27 years supervised release, and a special assessment of \$1,500. The businesses each face a maximum fine of \$7.5 million, five years probation and \$ 6,000 special assessment.

The case was investigated by the United States Environmental Protection Agency's Criminal Investigation Division, with assistance from EPA's National Enforcement Investigations Center in Denver, Co., the Netherlands Ministry of the Environment, the Borough of Pottstown, and the Department of Homeland Security's Bureau of Immigration and Customs Enforcement. The case has been assigned to Special Assistant United States Attorney Martin Harrell of the EPA regional office in Philadelphia.

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